G. R. S. 58]

Previous references.

Ex 72 -00

Later references.

1902.

(S. R)

File No. 265 of 02

Serial Nos. 1-4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4

Major Part B for October 2

SUBJECT.

Rewards for detecting offences against the Excise Act.

---

1 D. no $\frac{958}{Ex\ 21}$. $\frac{497}{18}$ 17. 7. 02

From The Excise Commissioner.

Submits for approval and publication a draft of Rules for the grant of rewards in Excise Cases punishable under Regulation no V of 1901.

GPB—10,000—23-3-15

2. $\frac{156 \cdot 66}{Ex\ 21-95}$ D 24. 9. 02. To Ex Comr. To D Cs of all districts & To Compiler.

Approves of the above with certain alterat

3 Ex 21-95

To The Comptr

Notifies for publication, a Set o

Rules for the grant of remands in

Excise Cases.

SECTION SR
FILE No. 215/09
SERIAL No.

of Excise Officers by the
grant of medals &c, instead
of by cash payments, is cal-
culated to give better in-
pects to the members of
the department

Submitted to the Hon'ble
28/7/02

KG
25/7/02.

Rd
28-7-02.

Do these Rules come
within the provisions of
the Regulation, or are
they outside them? If
in the latter case, is
there any legislative
tion to be required
a suitable amend
ment of the Regula
tion - both the
Chairman and
Jason are quite his
views on the subject
I shall be glad also
to have the Advocate
opinion -

29/7

29-7-02

Read & noted on 30/7/02

2/

The proposed rewards are intended to be granted departmentally "by Excise officers" The amounts will be drawn (under Rule 16) on abstract contingent bills, which pre-suppose, I believe, sanctioned budget provision. To the grant of such rewards there can be (and there is) nothing repugnant in the provisions of the Excise Regulation. It would, of course, be different if it were sought to empower Magistrates to disburse fine-amounts to informers & others; for this, some statutory authority in the Regn would be necessary. I may point out that the draft-Rules nowhere say that the rewards are to come out of the proceeds of fines and the sales of confiscated articles; but merely that the amount of the former shall not exceed that of the latter

In the next place, the Order of the Regn being, among other things, to provide for the detection and prevention of breaches of the Excise law, and as one of the principal modes of doing this is by the grant of rewards to informers and others

instrumental in those respects, the issue of the proposed rules would clearly be covered by clause (p) of section 29 of the Regulation

Lastly, clause (o) of the same section empowers Govt to frame rules "for the disposal of articles confiscated and of the proceeds thereof," as, for e.g., by way of rewards. Now as before, the rewards under the draft Rules will (if I am not mistaken) come from under provisions & not from the proceeds of confiscated articles.

I wish also to indicate one or two points that struck me in going over the rules.

The reference to Govt. in rules (1)(2) would be useful as the limits fixed are in derogation of the ordinary powers of Govt to sanction the expenditure of money to any extent, and are moreover inconsistent with Rule (4), under which Govt can sanction sums in excess of those limits (In Madras, the reference to the Board of Revenue,

(4 [illegible] authority)

In Rule (1), the words "articles" where it first occurs evidently be "liquor," as otherwise there is no necessity for the words next following in which other articles confiscated are referred to (compare also the corresponding Madras rule).

[illegible]

I have nothing to add on the legal aspect of the rules. I think that Govt would be quite within its power to issue these rules.

I have made some suggestion on the matter that occurred to me in the margin.

Would it not be necessary to except Officers of the Excise Dept (Detection Branch specially) absolutely from receiving rewards and also favoured Officers or those drawing a salary of more than (say) 200 Rs; from also?

I would rather not be equal to them - A

28/8/1902

The 2nd Commr
Collr

X-1
23.8.02

Rules of the kind
proposed & recommended
~~in para 6~~. I agree
that no legislation
is necessary. As
in the Police and
Forest Debts a
set of rules in
the Excise Debts in
~~the Land Customs~~ Excise
Excise Dept has
framed but stopt
rules on the lines
of the Madras Rules
& have made in
the margin a few
notes showing the
direction in which
I think slight modi
-fications seem
called for
Do
obtained by
the Dewan the
rules — which are
departmental — may
be issued.

[illegible]
2.9.1902

To the Dewan

5-781
2028-8-02

27/8/1902 6978

[illegible]
7.IX.02

Draft 10/9/02

9/9

(17)/

OFFICE OF T. B. R.
No. 958.
23 JUL. 1902

1902

FROM P. R. Pinnadeya Esqre B.A.
Excise Commissioner
in Ceylon

To L. Arunāchalam Rao Esqre B.A.
Officiating Secretary to Government
General & Revenue Department

SECTION 1.2.
FILE No. 265 of 02-03
SERIAL No. 1

Dated 17th July 1902
Despatched 21st
Received

General No. 497
No. 18

Enclosure No. 2

Submits for approval and publication a draft of Rules for the grant of rewards in Excise cases punishable under Regulation No V of 1901.

Et 23/7

4 Jul 95 2 R 481/93 Circular

23/7/02

1.

No 497/16 Exc 2

Excise Commissioner's Office
Bangalore Dated 17th Jan, 1902.

From.

P. N. Purnaiya Esquire B.A.
Excise Commissioner
in Mysore

To.

L. Ananthasami Row Esquire B.A.
Officiating Secretary to Government
General and Revenue Department

Sir,

In reply to Government Proceedings no 55 Ex. J. 21-95, dated 15th instant, I have the honor to submit herewith for approval and publication a draft of Rules for the grant of rewards in Excise Cases punishable under Regulation no V of 1901.

2. A Copy of the Rules in force in the Madras Presidency is herewith sent for information

I have the honor to be,
Sir,
Your most obedient Servant

P. N. Purnaiya

Excise Commissioner
in Mysore.

16

A The following Rules for the grant of Rewards in Excise Cases are sanctioned by the Government of Mysore:—

B Rules for the grant of Rewards to informers and others who may render service to Government by detecting or preventing breaches of Excise Laws.

C (1) In any case in which a penalty or confiscation has been adjudged by competent authority under any law for the time being in force for the administration or protection of Excise Revenue, the Government of Mysore or the undermentioned officers of the Excise Department may grant, in such proportions as they think fit, to any person or persons who may

3

have contributed to the Conviction of the offender or to the seizure of the property so confiscated, a reward not exceeding the proceeds of the articles confiscated, plus the amount for which any other article confiscated in the same case may sell, plus the amount of any fine imposed therein.

Provided always that the aggregate amount of the rewards thus granted in any one case, shall not-

	Rupees.
If the award be made by government ———	250.
If the award be made by the Excise Commissioner ———	100.
If the award be made by a District Deputy Commissioner or by the Deputy Excise Commissioner ———	25.

Perhaps this may remain as a limit for 'Govt' also.

(2) In any case in which any person or persons may

have been convicted of an offence against the Excise Revenue, but in which no penalty or confiscation may have been imposed or realized, or in which any person has performed any service of special merit in respect of the prevention or detection of any offence against the Excise Laws, rewards may be granted as follows:—

		Rs.
By the Government of Mysore to an aggregate amount not exceeding		100
By the Excise Commissioner	do	50
By a District Deputy Commissioner or Deputy Excise Commissioner	do	25

(3) The Excise Commissioner or a District Deputy Commissioner or the Deputy Excise Commissioner with the sanction of the Excise Commissioner, may incur at his discretion an expenditure not exceeding Rs 50/- in each—

5 each case, for the employment of informers or for any other purpose connected with the prevention or detection of any offence against the Laws relating to Excise Revenue.

(4) Proposed rewards and expenditure exceeding the sums above set forth, should be reported for the previous sanction of [illegible]

7

(5) Rewards should not as a rule, be less than half of the aggregate amount of the fines and Confiscations realized.

E.

This not being a ~~general~~ universal rule, may as well be omitted

(6) Where the aggregate amount of fines and confiscations realized is small (say, up to Rs 5/-), the reward may properly be of equal amount.

(7) Rewards to village officials, whose co-operation it is particularly desirable to secure, should be substantial, no matter how trivial the case. [illegible]

I

might be fixed as a minimum in such cases. (the Deputy Commissioners of Districts should issue orders to heads of villages, requiring them to exert themselves and assist the Excise Officials, and should enforce their responsibility for suppressing illicit distillation.)

J. ✓ (8) The Police will aid the Excise staff in the detection and punishment of breaches of the Excise Laws by reporting all cases that come to their notice in the discharge of their ordinary Police duties, as well as by reporting to the officials of any villages in which illicit distillation or other Excise offences are known or commonly reported to be rife. They should co-operate with

All except the last sentence seems out of place & the rule seems unnecessary.

This is necessary for the Police outside of Excise areas. It is here where it is the subject of repeated orders. ll

with Excise Officers as far as it is in their power to do so, without prejudice to their own ordinary duties. Their services in the detection of important cases will be suitably rewarded.

(9) Where substantive sentences of imprisonment are passed by magistrates, and no fines or confiscations are realized, rewards may be paid according to the importance of the case in the discretion of the officers authorized to make awards within the limits of their powers of sanction. K

(10) At least half of all rewards should be given to the informer, if any, the remainder to the persons who actually co-operated in the seizure or arrest, unless in execution of a magistrate's warrant, in which case the whole of the reward L

should be sufficient for the latter, and one quarter might be given to the person who applied for the warrant.

(11) If there is no informer, the whole reward should go to the persons who actually co-operated in the seizure &c as above.

(12) By an "informer" is to be understood only the original informant and not any person who performs the unimportant function of simply passing over the information second hand.

(13) Rewards should generally be distributed among Government servants equally engaged in the transaction, for which the reward is granted, in proportion to their salaries. No rewards should

should be given to Inspectors without the sanction of the Excise Commissioner. As a general rule they must look to the Excise Commissioner to recompense them for good work done by suitable promotion as opportunities occur.

I would add to this — Rewards to public servants should not be granted without the sanction of the head of their department.

(14) Persons simply taking over persons or goods seized by others cannot, as a rule, be held to merit a reward.

(15) Recommendation rolls or bills as the case may be, for payment of rewards should be submitted to the Excise Commissioner after final conviction of the offenders in the appellate court, if an appeal has been presented, or after the period allowed for presenting the appeal has elapsed. ++

++ These bills should contain a certificate showing what amount has been realised by fines and sales of confiscated property in the case.

(16). On receipt of the recommendation

rolls or bills, the amount sanctioned or passed by the Excise Commissioner will be drawn on abstract Contingent bills and forwarded to the officer concerned. Payments of rewards must be made personally by the District Deputy Commissioner, Deputy Excise Commissioner or Excise Assistant Commissioner, as the case may be, and acknowledgment obtained from the payees and forwarded to the Excise Commissioner's office.

S (17). No delay should be permitted in the disbursement of rewards.

7 (18) For meritorious services or courageous conduct in successfully apprehendi

Y/

and prosecuting to conviction the persons concerned in difficult cases, rewards may be granted by the award of a gold or silver medal, or a gold or silver ring, or a gold or silver bangle, with suitable inscription, or by the present of a suit of "uniform clothing for special occasions", instead of in cash payments.

Chief Commissioner

It would perhaps be expedient to shorten this: in ~~any particular~~ case, "Rewards may with the previous sanction of Govt, be made in any other form than a grant of money."

yes

Chapter IX - Rewards to Informers &c.

A 121- Rules for the grant of Rewards. - The following Rules for the grant of Rewards in Salt and Abkari cases have been sanctio by Government :-

B Rules for the grant of Rewards to Informe and others who may render service to Government by detecting or preventi breaches of the Salt and Abkari Laws.

C (1) In any case in which a penalty or confiscation has been adjudged by com= =petent authority under any law for the time being in force for the administra =tion or protection of the Salt or Abkari Revenue, the Board of Revenue or the under-mentioned officers of the Salt and Abkari department may grant, in such proportions as they may think fit, to any person or persons who may have contributed to the conviction of the offender or to the seizure of the property so confiscated, a reward not exceeding the proceeds of the salt or liquor confiscat =ed, plus the amount for which any o other article confiscated in the same case may sell, plus the amount of any fine imposed therein.

Rewards

provided always that the aggregate amount of the rewards thus granted in any case shall not exceed —

If the award be made by the Rs
Board of Revenue — 500

If the award be made by a Deputy Commissioner of Salt and Abkari Revenue — 100

If the award be made by an Assistant Commissioner of Salt and Abkari Revenue — 25

Provided also that the proceeds of confiscated salt shall be taken to be the amount of the duty leviable thereon, whether the salt be actually sold for consumption or destroyed as not fit for consumption.

(2) In any case in which any person or persons may have been concerned in an offence against the Salt or Abkari Revenue, but in which no penalty or confiscation may have been imposed or realized, or in which any person has performed any service of special merit in respect of the prevention or detection of any act of salt smuggling or of any offence against the Salt or Abkari Laws, rewards may be granted as follows:

Rs.
By the Board of Revenue to an aggregate amount not exceeding — 200.

By a Deputy Commissioner of Salt and Abkari Revenue to an aggregate amount not exceeding - - - - - - - - 25

By an Asst. Commissioner of Salt and Abkari Revenue to an aggregate amount not exceeding - - - - - - - 10

(3) The Commissioner of Salt and Abkari Revenue or a Deputy Commissioner, with the sanction of the Commissioner, may incur at his discretion an expenditure not exceeding Rs 100/- in each case for the employment of informers or for any other purpose connected with the prevention or detection of salt smuggling or of any offence against the laws relating to Salt or Abkari Revenue.

(4) Proposed rewards and expenditure exceeding the sums above set forth should be reported for the previous sanction of Government

122. Submission of Reward Statements by Inspectors. — As soon as Form P. 25 in a case is returned by the Magistrate to the Inspector, and the particulars of the conviction have been entered in cols. 29-33 of Form P. 21 — Salt, or columns 28-32 of P. 21 — Abkari, and the names, &c., of the convicted persons in Form P. 23, the Inspector should enter the case in

the

the forward Statement, Form R 1, which should be forwarded to the Assistant Commissioners on the 10th and 25th of each month, in duplicate, together with the P.25 forms from which it has been prepared.

123- Disposal of Reward Statements by Assistant-Commissioners.— On receipt, the Assistant Commissioners will enter the rewards he determines and has power to grant in Column 21 of each Copy of the Statement, and will return one copy thereof with the P.25 forms to the Inspector for the disbursement of the rewards, forwarding the other Statement to the Commissioners or Deputy Commissioners (as the case may be) for perusal and return, together if necessary, with a separate letter, in which he will report the particulars of any case in which he recommends a higher reward than he is himself competent to order. If he should require further information regarding any case, he should not delay the disposal of the return until it is received, but should strike the case out, and direct its re-insertion in the next bi-monthly return with such further information as he may require.

124- Rewards how drawn and disbursed. On receipt of a Reward Statement from the Assistant Commissioners, the Inspector will

will draw the amount of the rewards sanctioned on an Abstract contingent bill (Form R-2.), and will proceed to disburse the rewards at once to those persons to whom he has been ordered to pay them. Drawing reward money from the Salt Treasury with a note in the Cash Chittah showing the number and date of authority sanctioning the reward and without presenting an abstract bill is irregular.

125. Disbursement of Rewards through the Police. Rewards to be disbursed through the Police will, where it is more convenient to do so, be remitted by Salt and Abkari Inspectors direct to the Police Inspector of the Division with a Statement of the cases in which, and the persons to whom, they are to be paid; and with a request that the receipt of the payees may be sent in the prescribed forms as soon as possible. The Statement should be in form R.3, and a copy of it should, at the same time, be forwarded to the District Superintendent of Police for his information

126- Promptitude in the disbursement of Rewards. - It should be borne in mind that promptness in the disbursement of rewards is of the first importance, as informers are not likely to come forward

and

and record the Department unless they feel certain that their services will be forthwith remunerated. No delay should, therefore, be permitted in the disbursement of rewards.

127. - Payments on account of rewards have to be accounted for. - Payments made will be accounted for by detailed Contingent bills in the prescribed form accompanied by the necessary vouchers and certificates.

128. - As far as possible Inspectors should disburse rewards personally.

129. - Rules for determining the proportion and amount of Rewards. - In filling up the column "Reward recommended" of Form G.1, Inspectors should bear in mind that, while there is no objection in restricting the aggregate of rewards granted below the aggregate of fines and confiscations realized, it is a dangerous policy to grant rewards so large that it will pay people to get up cases in order to obtain them; and that larger rewards should be given in localities where the Police and others are not active in bringing offences to light, or where offences are numerous, than in localities where the contrary is the case. No precise Rules can be laid down. Much must depend on the discretion of officers and their

Knowledge.

knowledge of the circumstances of their districts. But the following may be taken as rough guide :-

G. (1) Rewards should not as a rule be less than half of the aggregate amount of the fines and confiscations realized, the value of contraband salt ordered to be destroyed by the Magistracy being taken at Rs 2-8-0 per maund, so long as the duty on salt remains at that rate.

H. (2) Where the aggregate amount of fines and confiscations realized is small (say up to Rs 5/-) the reward may properly be of equal amount.

I (3) Rewards to Village Magistrates and Kurnams, whose co-operation it is particularly desirable to secure, should be substantial, no matter how trivial the case. Rs 3/ might be fixed as a minimum in such cases.

(4) The minimum reward in all cases may be fixed at 8 annas.

K (5) Where substantive sentences of imprisonment are passed, and no fines or confiscations are realized, rewards may be recommended according to the following scale :-

For each person sentenced to.	Rs-As
3 days imprisonment or less	- 0 - 8
do do 4-7 days imprisonment	0 - 12
do do 8-14 do	1 - 0
do do 15-21 do	1 - 8
do do over 21 do	2 - 0

(6). At least half of all rewards should be given to the informer, if any, the remainder to the persons who actually co-operated in the seizure or arrest, unless in execution of a Magistrate's warrant, in which case one quarter of the reward should be sufficient for the latter and one quarter might be given to the person who applied for the warrant. L

(7) If there is no informer, the whole reward should go to the persons who actually co-operated in the seizure &c, or alone. M.

130. Explanation of "Co-operation" in seizure &c., for purposes of Rewards. persons are said to be actually co-operating in a seizure, when they belong to the party organized to make it, and are at the time of the seizure, if not present when it is effected, actively engaged in watching houses or in patrolling other localities to prevent the escape of the offenders, or in passing from one detachment of the party to another to secure the vigilance of all.

131. Definition of "informer" for purposes of Rewards. — By an "informer" is to be understood only the original informant — and not any person who N
1. forms the very important connection
2. simply passing over the information
secured and

132 - Persons simply taking over persons or goods seized by others cannot, as a general rule, be held to merit a rewards.

133 - Distribution of Rewards among Government Servants. Rewards should generally be distributed among Government servants equally engaged in the transaction, for which the reward is granted, in proportion to their salaries. No rewards should be given to Inspectors or Assistant Inspectors without the sanction of the Commissioners. As a general rule they must look to the Commissioners to recompense them for good work done by suitable promotion as opportunities occur.

134 - Rewards in certain cases departmentally released. In cases in which persons arrested are released by Inspectors under paragraphs 36 & 39 of Chapter IV of this Circular Order, i.e in Salt Cases rewards may be granted at a rate not exceeding 4 annas for each person so discharged, provided that rewards so granted are not to exceed 2 rupees per case or 1 rupee for each person rewarded in cases when the number of persons released is not more than ten, or double those sums when such number exceeds ten.

135. Rewards in cases in which some of the accused are released. In cases in which some of the persons arrested are released departmentally, while others are prosecuted, the result of the prosecution should be awaited before any rewards are recommended on account of the persons discharged. Rewards can then be recommended with reference to the case as a whole.

136. Rewards in cases in which the conviction is quashed on appeal. Where a conviction has been quashed on appeal in a case in which for any reason rewards have been already granted to public servants, they should be recovered if the Appellate Court considered the evidence for the prosecution false and did not merely give the appellant the benefit of a doubt; but not otherwise. Rewards granted to persons not in the public service cannot be recovered. If in any case it is considered desirable to grant a reward notwithstanding the reversal of the conviction on appeal, a reference should be made to the Board for orders.

137. Rewards in Abkari cases in which there is no actual seizure. In granting rewards in Abkari cases, it must be understood that no rewards

are to be granted in cases in which there is no actual fraud. For reporting that a shopkeeper has no sign outside his shop and other similar petty breaches of license, no reward should be given. As a rule, rewards should be granted only in cases of arrest without a warrant, though the Assistant and Deputy Commissioners may use their discretion and sanction rewards even in the case of a shopkeeper found to be continuously refusing to carry out the provisions of his license, and prosecuted and convicted therefor. The detection of merely technical cases such as that of a man who is well known to be a contractor's servant and to have a permit, but, who, on one occasion, forgets to take it with him while transporting liquor, does not, of course, merit any reward.

True Copy

H. Freeman

Excise Commissioner

in Egypt

W/

23
18

Read:—

SECTION 1.R
FILE NO. 265 of 02-03.
SERIAL NO: 2

Letter no. 497/18 dated 17th July 1902 from the Excise Commr. in Mysore submitting with reference to Govt. proceedings no. 55-Sx.T. 21-95 dated 15th idem a set of draft-rules for the grant of rewards in Excise cases punishable under Regulation no. II of 1901 and requesting that the same may be approved and published.

Please Compare Rules Carefully before issued

2/9

No 156-66 dt 29/9/02
Sx.T-95

Order therein:—

The draft-rules submitted with the above as slightly modified in this office are approved and forwarded to the Compiler, Mysore Gazette, for publication in three successive issues of

2 the Gazette.

19/9/02

Secretary

15/9/02.

To

The Revenue Commr.
in Mysore

" Comptroller, M.G.

Deputy Commrs. of Dists.

The Comptroller, Mysore Cooperage

(Here enter the rule

no

dated)

18 Notification No. 6725
E.721-95
9 29/9/02

The following Rules for the grant of Rewards in Excise cases are sanctioned by the Government of Mysore

SECTION 4.R.
FILE No. 265 of 02-03
SERIAL No. 3.

Rules for the grant of Rewards to informers and others who may render service to Government by detecting or preventing breaches of Excise Laws.

(1) In any case in which a penalty or confiscation has been adjudged by competent authority under any law for the time being in force for the administration or protection of Excise Revenue, the under mentioned officers of the Excise department may grant, in such proportions as they think fit, to any person or persons who may have contributed to the conviction of the offender

or

or to the seizure of the property so confiscated, a reward not exceeding the proceeds of the liquor or intoxicating drug confiscated, plus the amount for which any other article confiscated in the same case may sell, plus the amount of any fine imposed therein.

Provided always that the aggregate amount of the rewards thus granted in any one case, shall not exceed:—

	Rupees
If the award be made by the Excise Commissioner ----	100/-
If the award be made by a district deputy Commissioner or by the deputy Excise Commissioner ----	25/-

(2) In any case in which any person or persons may have been convicted of an offence against the Excise Revenue, but in which no penalty or confiscation may have

been imposed or realized, or in which any person has performed any service of special merit in respect of the prevention or detection of any offence against the Excise Laws, rewards may be granted as follows:—

By the Excise Commissioner to an aggregate amount not exceeding ——— Rs 50/-

By a District Deputy Commissioner, or Deputy Excise Commissioner to an aggregate amount not exceeding ——— " 25/-

(3) The Excise Commissioner or a District Deputy Commissioner or the Deputy Excise Commissioner with the sanction of the Excise Commissioner, may incur at his discretion an expenditure not exceeding Rs 50/- in each case for the employment of informers or for any other

purpose connected with the prevention or detection of any offence against the Laws relating to Excise Revenue.

(4) Proposed rewards and expenditure exceeding the sums above set forth, shd be reported for the previous sanction of Government.

(5) Rewards shd not as a rule, be less than half of the aggregate amount of the fines and confiscations realized.

(6) Where the aggregate amount of fines and confiscations realized is small (say up to Rs 5/-), the reward may properly be of equal amount

(7) Rewards to village officials, whose cooperation it is particularly desirable to secure, shd be substantial no matter how trivial

the case. Rupees three might be fixed as a minimum in such cases. The Deputy Commissioners of Districts should issue orders to heads of villages, requiring them to exert themselves and assist the Excise officials and should enforce their responsibility for suppressing illicit distillation.

(8) The police will aid the Excise staff in the detection and punishment of breaches of the Excise Laws by reporting all cases that come to their notice in the discharge of their ordinary police duties as well as by reporting to the officials of any villages in which illicit distillation or other Excise offences are known or commonly reported to be rife. They should cooperate

the Excise Officers as far as it is in their power to do so, without prejudice to their own ordinary duties. Their services in the detection of important cases will be suitably rewarded.

(9) Where substantive sentences of imprisonment are passed by magistrates, and no fines or confiscations are realized, rewards may be paid according to the importance of the case in the discretion of the officers authorized to make awards within the limits of their powers of sanction.

(10) At least half of all rewards should be given to the informer, if any, the remainder to the persons who actually cooperated in the seizure, or arrest, unless in

execution of a magistrate's warrant, in which case one quarter of the reward shall be sufficient for the latter, and one quarter might be given to the person who applied for the warrant

(11) If there is no informer, the whole reward shall go to the persons who actually cooperated in the seizure &c as above

(12) By an "informer" is to be understood only the original informant and not any person who performs the unimportant function of simply passing over the information second hand.

(13) Rewards shall generally be distributed among Government servants equally engaged in the transaction, for which

32 the reward is granted, in proportion to their salary. No rewards should be given to Inspectors without the sanction of the Excise Commissioners. As a general rule they must look to the Excise Commrs to recompense them for good work done by suitable promotion as opportunities occur. Rewards to the servants of other departments than the Excise should be made through the heads of those departments.

(14) Persons simply taking over persons or goods seized by others cannot, as a rule, be held to merit a reward.

(15) Recommendations in rolls or bills as the case may be, for payment of rewards should be submitted to the Excise Commissioners after final

conviction of the offenders in the appellate court, if an appeal has been presented, or after the period allowed for presenting the appeal has elapsed. These papers should show what amount if any, has been realized by fines and sales of confiscated property in the case.

(16) On receipt of the recommendation rolls or bills, the amount sanctioned or passed by the Excise Commissioner, will be drawn on abstract contingent bills ~~of~~ and forwarded to the officer concerned. Payments of rewards must be made personally by the District Deputy Commissioner Deputy Excise Commissioner or Excise Assistant

3 Commissioner, as the case may be, and ~~acknow~~ acknowledgments obtained from the payees and forwarded to the Excise Commissioner's Office.

(17) No delay shall be permitted in the ~~distribution~~ disbursement of rewards.

(18) ~~For meritorious services~~ Rewards in special cases may with the previous sanction of Government, be made in any other form than a grant of money.

BC

Secy 27/9

Proceedings of the Government of His Highness the Maharaja of Mysore.

READ-

Letter No. 497—18, dated 17th July 1902, from the Excise Commissioner in Mysore, submitting, with reference to Government Proceedings No. 55—Ex. F. 21-95, dated 15th idem, a set of draft Rules for the grant of rewards in Excise cases punishable under Regulation No. V of 1901, and requesting that the same may be approved and published.

No. 156-66—Ex. F. 21-95, DATED BANGALORE, 29TH SEPTEMBER 1902.

ORDER THEREON.—The draft Rules submitted with the above as slightly modified in this office, are approved and forwarded to the Compiler, *Mysore Gazette*, for publication in three successive issues of the Gazette.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore.
The Comptroller to the Government of Mysore.
The Deputy Commissioners of Districts.
The Compiler, *Mysore Gazette.*

NOTIFICATION.

No. 167—Ex. F. 21-95, dated Bangalore, 29th September 1902.

The following Rules for the grant of rewards in Excise cases are sanctioned by the Government of Mysore.

Rules for the grant of Rewards to informers and others who may render service to Government by detecting or preventing breaches of Excise Laws—

(1) In any case in which a penalty or confiscation has been adjudged by competent authority under any law for the time being in force for the administration or protection of Excise Revenue, the under mentioned officers of the Excise Department may grant, in such proportions as they think fit, to any person, or persons who may have contributed to the conviction of the offender or to the seizure of the property so confiscated, a reward not exceeding the proceeds of the liquor or intoxicating drug confiscated, plus the amount for which any other article confiscated in the same case may sell, plus the amount of any fine imposed therein.

Provided always that the aggregate amount of the rewards thus granted in any one case, shall not exceed—

	Rs.
If the award be made by the Excise Commissioner	100
If the award be made by a District Deputy Commissioner or by the Deputy Excise Commissioner	25

(2) In any case in which any person or persons may have been convicted of an offence against the Excise Revenue, but in which no penalty or confiscation may have been imposed or realized, or in which any person has performed any service of special merit in respect of the prevention or detection of any offence against the Excise Laws, rewards may be granted as follows :—

	Rs.
By the Excise Commissioner to an aggregate amount not exceeding ...	50
By a District Deputy Commissioner, or Deputy Excise Commissioner to an aggregate amount not exceeding	25

(3) The Excise Commissioner or a District Deputy Commissioner or the Deputy Excise Commissioner, with the sanction of the Excise Commissioner, may incur at his discretion an expenditure not exceeding Rs. 50 in each case for the employment of informers or for any other purpose connected with the prevention or detection of any offence against the Laws relating to Excise Revenue.

(4) Proposed rewards and expenditure exceeding the sums above set forth, should be reported for the previous sanction of Government.

(5) Rewards should not as a rule, be less than half of the aggregate amount of the fines and confiscations realized.

(6) Where the aggregate amount of fines and confiscations realized is small (say up to Rs. 5) the reward may properly be of equal amount.

(7) Rewards to village officials whose co-operation it is particularly desirable to secure, should be *substantial* no matter how trivial the case. Rupees three might be fixed as a minimum in such cases. The Deputy Commissioners of Districts should issue orders to heads of villages, requiring them to exert themselves and assist the Excise officials, and should enforce their responsibility for suppressing illicit distillation.

(8) The Police will aid the Excise staff in the detection and punishment of breaches of the Excise Laws by reporting all cases that come to their notice in the discharge of their ordinary Police duties, as well as by reporting to the officials of any villages in which illicit distillation or other Excise offences are known or commonly reported to rife. They should co-operate with Excise officers as far as it is in their power to do so, without prejudice to their own ordinary duties. Their services in the detection of important cases will be suitably rewarded.

(9) Where substantive sentences of imprisonment are passed by Magistrates, and no fines or confiscations are realized, rewards may be paid according to the importance of the case in the discretion of the officers authorized to make awards within the limits of their powers of sanction.

(10) At least half of all rewards should be given to the informer, if any, the remainder to the persons who actually co-operated in the seizure, or arrest, unless in execution of a Magistrate's warrant, in which case one-quarter of the reward should be sufficient for the latter and one-quarter might be given to the person who applied for the warrant.

(11) If there is no informer, the whole reward should go to the persons who actually co-operated in the seizure, etc., as above.

(12) By an "informer" is to be understood only the original informant and not any person who performs the unimportant function of simply passing over the information second-hand.

(13) Rewards should generally be distributed among Government servants equally engaged in the transaction, for which the reward is granted, in proportion to their salaries. No rewards should be given to Inspectors without the sanction of the Excise Commissioner. As a general rule they must look to the Excise Commissioner to recompense them for good work done by suitable promotion as opportunities occur. Rewards to the servants of other Departments than the Excise should be made through the heads of those Departments.

(14) Persons simply taking over persons or goods seized by others cannot, as a rule, be held to merit a reward.

(15) Recommendation rolls or bills as the case may be, for payment of rewards should be submitted to the Excise Commissioner after final conviction of the offenders in the Appellate Court, if an appeal has been presented, or after the period allowed for presenting the appeal has elapsed. These papers should show what amount if any, has been realized by fines and sales of confiscated property in the case.

Excise, dated 29th September 1902.

(16) On receipt of the recommendation rolls or bills, the amount sanctioned or passed by the Excise Commissioner, will be drawn on abstract contingent bills and forwarded to the officer concerned. Payments of rewards must be made personally by the District Deputy Commissioner, Deputy Excise Commissioner or Excise Assistant Commissioner, as the case may be, and acknowledgments obtained from the payees and forwarded to the Excise Commissioner's Office.

(17) No delay should be permitted in the disbursement of rewards.

(18) Rewards in special cases may with the previous sanction of Government, be made in any other form than a grant of money.

By Order,
H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

Exd.—G.S.

1902-03

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

Dated 29th September 1902

No. 156-66 / Ex. F. 21-95

Approving and forwarding to the Compiler, *Mysore Gazette*, for publication, a notification containing a set of Rules for the grant of rewards in Excise cases punishable under Regulation No. V of 1901.

SBP—25-10-02—300

SECTION J.R.
FILE No. 26/02/03
SERIAL No. 3.4

38
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To

The Conductor
Mysore Gazette

No 492
Ex.7.11.95

Dr. Bilson

Has the honor
to request that
Notification no
167 dated 29th September
Ex.7.21-95
1902 Containing rules
for the grant of
rewards in Excise
Cases punishable
under the Excise
Regulation V of
1901, appended to
Govt. no 456-66
Ex.7.11-95 of
the same date, be
kindly caused to be
published in 3
successive issues

* Sent to Treasury 30/11/95

39 of the Gazette in
each III Issue of
a deal 100 copies of the notice
to be published to the
Excise Branch of
this office

B.C.
[illegible] 3/10/02
[illegible]
for Secy